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APPLICATION NO./ CONTROL NO. 09/441,061	FILING DATE 11/16/99	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/441,061	11/16/1999	JOSEF ENDI	P564-9035	3812

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NIKAIDO MARMELESTEIN MURRAY & ORAM LLP  
METROPOLITAN SQUARE  
655 FIFTEENTH STREET N W  
SUITE 330 - G LOBBY  
WASHINGTON, DC 200055701

EXAMINER

DECLoux, AMY M

ART UNIT

PAPER NUMBER

1644

DATE MAILED: 01/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Commis:

The reply filed 11-13-01 (Paper No. 6) is not fully responsive (restriction) mailed 9/27/01 (Paper NO. 4) because of the matter(s): applicant has not elected a single group. Instead applicant has elected groups I-XXIII. It is noted that each of said groups is drawn to a MHC class II molecule (DR3 or DR4) and a distinct peptide epitope, although each of these 23 recited short peptide epitopes which contain amino acids maximum, are derived from the 65,000 Dalton GAD molecule, non overlapping, biochemically distinct epitopes, each of which, DR3 or DR4 as recited in the instant claims, will be recognized by the receptor, and as such, may effect distinct immunological processes. The group consists of a patentably distinct complex, essentially for the reasons stated in the restriction requirement, mailed 9/27/01.

It is also noted that this application contains sequence disclosures encompassed by the definitions for nucleotide and/or amino acid sequences of 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. 1.821-1.825 for the reason(s) set forth in the Office Action. To Comply With Requirements For Patent Applications Containing Sequence And/Or Amino Acid Sequence Disclosures. Specifically, the application is lacking SEQ ID NO: tags are disclosed in Figures I and II, and the application is lacking the description of said figures contain SEQ ID NO: tags. Applicant must comply with the requirements of the sequence rules 1.825) before the application can be examined under 35 U.S.C. §§

Art Unit: 1644

Applicants are required to submit a CRF disk and paper copy of the sequences according to the attached "Notice to Comply with the Sequence Rules." Applicant is reminded of the sequence rules which require a submission for all sequences of more than 9 nucleotides or 3 amino acids (see 37 C.F.R. 1.821-1.825) and is also requested to carefully review the submitted specification and claims for any and all sequences which require compliance with the rules.

Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE EXTENDABLE MONTH, from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amy DeCloux whose telephone number is (703) 306-5821. The examiner can normally be reached Monday through Friday from 9:00 am to 6:00 pm. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Chan can be reached on (703) 308-3973. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 1600 receptionist whose telephone number is (703) 308-0196.

Papers related to this application may be submitted to Technology Center 1600 by facsimile transmission. Papers should be faxed to Technology Center 1600 via the PTO Fax Center located in Crystal Mall 1. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CM1 Fax Center telephone number is (703) 305-3014.

Amy DeCloux, Ph.D.  
Patent Examiner  
Art Unit 1644  
January 7, 2001

*David A Saunders*  
DAVID SAUNDERS  
PRIMARY EXAMINER  
ART UNIT 182/1644

# NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: See attached communication.

## Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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Total number of pages: 8

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